

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA-10-0286

* * * * *

S.M. LALANI and CAROL LALANI,)
)
Plaintiffs/Appellants,)
)

vs.)

GRANDVIEW HEIGHTS, INC., GEORGE E.)
COOK, ALICE M. COOK, JOHN MAE LANE)
HOMEOWNERS ASSOCIATION, NORTH RIDGE)
RANCH HOMEOWNERS ASSOCIATION,)
SADDLE RIDGE ESTATES, a Montana)
Limited Partnership, MICHAEL S.)
HUEMPFNER, CYNTHIA HUEMPFNER,)
ROBERT UHLMANN, SALLY UHLMANN,)
W.B. FREEBURG TRUSTEE of the BRAD)
FREEBURG FAMILY LIVING TRUST, MARK)
D. JOHNSON, LAURIE J. JOHNSON,)
CONNIE J. KIRKLAND, KRIS A.)
KIRKLAND, MICHAEL A. LAYMAN,)
FAITH L. QUIGLEY, ALAN R. KAHN,)
JEAN G. KAHN, RAYMOND D. STROTHER,)
SANDRA P. STROTHER, LOUIS R. SPAIN,)
CHARLINE R. SPAIN, DAVID M. MADDEN,)
DELORES A. MADDEN, JOHN)
MORNINGSTAR, LESLIE MORNINGSTAR,)
ARTHUR M. BARBICHE, MARY K.)
BARBICHE, PETER J. RIEKE, SALLY)
RIEKE MAISON, MARTHA SMITH COLLETT,)
STEWART W. ROBINSON, MARVIN D.)
MORGENSTEIN, ANN VAN BALEN,)
KENNETH LeCLAIR, RICHARD J.)
SCHONBERGER, NANCY L. SCHONBERGER,)
GENE COOK, and JOHN DOES 1, 2, 3,)
and 4,)
)

ORDER

FILED

AUG 19 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Defendants/Appellees,)
)
)
and)
)
SADDLE RIDGE HOMEOWNERS)
ASSOCIATION, INC.,)
)
Cross-Claim Defendants.)
)
and)
)
MICHAEL S. and CYNTHIA HUEMPFNER,)
ROBERT and SALLY UHLMANN, STUART)
TILT, CONNIE J. and KRIS A.)
KIRKLAND, DAVID M. and DELORES A.)
MADDEN, ALAN R. and JEAN G. KAHN,)
and W.B. FREEBURG TRUSTEE of the)
BRAD FREEBURG FAMILY LIVING TRUST,)
RAYMOND D. and SANDRA P. STROTHER,)
MARK D. and LAURIE J. JOHNSON,)
LOUIS R. and CHARLINE R. SPAIN,)
(North Ridge Lot Owners),)
)
ARTHUR M. BARBICHE, MARY K.)
BARBICHE, PETER J. RIEKE, SALLY)
RIEKE MAISON, MARTHA SMITH COLLETT,)
STEWART W. ROBINSON, MARVIN D.)
MORGENSTEIN, ANN VAN BALEN,)
(John May Lane Lot Owners),)
)
Third Party Plaintiffs,)
)
vs.)
)
)
MARY S. McGEE, DAVID M. and)
KODY L. LYONS, THOMAS R. and)
LESLIE PETERSON, OP CENTER)
ENTERPRISES, LLC, ROGER N. FLAIR,)
ORVILLE HUNGERFORD MANN, III, and)
TERESA PATTON MANN, RICHARD)
BELGRAD, M.D., and CAROLYN POWERS)
BELGRAD, DANIEL R. and NANCY N.)
JOCHEM, DONALD and CYNTHIA Z.)
DEBETHIZY, MICHAEL E. and REBECCA)

L. NICKLIN, DAVID M. and SERENE O.)
KLUMPAR, DANIEL M. and PAMELA J.)
GANNON, STEPHEN R. STITH and)
GEORGIA M. STITH as Trustee for)
the STEPHEN R. STITH and GEORGIA)
M. STITH FAMILY TRUST, KEITH E.)
and DEBORAH L. DUNEMAN, LUZ E.)
RODRIGUEZ (Appellant), DUNCAN T.)
PATTEN as Trustee of the DUNCAN T.)
PATTEN REVOCABLE LIVING TRUST,)
EVA C. PATTEN as Trustee of the)
EVA C. PATTEN REVOCABLE LIVING)
TRUST, SALIM and CAROL LALANI,)
GENE E. COOK, KENNETH J. LeCLAIR,)
RICHARD J. and NANCY L. SCHONBERGER)

AND ALL OTHER PERSONS OR ENTITIES,)
UNKNOWN, CLAIMING OR WHO MIGHT)
CLAIM ANY RIGHT, TITLE, ESTATE OR)
INTEREST IN, OR ENCUMBRANCE UPON,)
THE EASEMENT DESCRIBED IN THE)
COMPLAINT AS TO TROOPER TRAIL, OR)
WHO CLAIM AN INTEREST ADVERSE TO)
THIRD PARTY PLAINTIFFS' EASEMENT)
OR ANY CLOUD UPON THIRD PARTY)
PLAINTIFFS' EASEMENT, WHETHER SUCH)
CLAIM OR POSSIBLE CLAIM BE PRESENT)
OR CONTINGENT, AND ALL OTHER)
PERSONS OR ENTITIES, KNOWN OR)
UNKNOWN,)

Third Party Defendants.)

MARY S. MCGEE, DAVID M. AND KODY)
L. LYONS, OP CENTER ENTERPRISES,)
LLC, ROGER N. FAIR, DANIEL M. AND)
PAMELA J. GANNON, STEPHEN R. SMITH)
AND GEORGIA M. STITH AS TRUSTEES)
FOR THE STEPHEN R. STITH AND)
GEORGIA M. STITH FAMILY LIVING)
TRUST, KEITH E. AND DEBORAH L.)
DUNEMAN, DUNCAN T. PATTEN AS)
TRUSTEE OF THE DUNCAN T. PATTEN)
REVOCABLE LIVING TRUST, AND EVA)
C. PATTEN AS TRUSTEE OF THE EVA)

C. PATTEN REVOCABLE LIVING TRUST,)
)
Third Party Cross-Claim)
Plaintiffs,)
)
v.)
)
LUZ E. RODRIGUEZ, AND SALIM AND)
CAROL LALANI,)
)
Third Party Cross-Claim)
Defendants.)
)
_____)

Upon motion duly made of Appellants and for good cause shown;

IT IS ORDERED that the Appellants is given until September 20,
2010 within which to serve and file in the Clerk's office of this
Court Appellants; Brief on appeal.

DATED this 15th day of August, 2010.



Ed Smith
Clerk of Supreme Court

pc: J. Robert Planalp
James A. McLean
Tom W. Stonecipher
Brian K. Gallik
Michael J. Lilly
Leanne M. Schraudner
Vuko J. Voyich
David M. Wagner
Thomas R. Anacker (via mail)
Kevin Jones
Ron A. Nelson
Gregory G. Schultz